

FINFISH			
Species	Open Season (Note Below)	Size in Inches	Daily Possession Limit (lbs.) ⁵
Black Sea Bass	1/1-4/30 5/1-5/22; 6/1-7/31 8/1-12/31	12	100 500 (p/w); 200 (o); 100 (l) 500 (p/w); 200 (o); 100 (l)
Bluefish	All Year		5,000
Blue Marlin	All Year (1,3)	86	1 fish/trip (cannot sell)
Cod	Rolling Closures (6)(7)	22	500 (N of 42°) ; 2,000 (S of 42°)
Dabs (Plaice)	All Year	14	
Dogfish	5/1-10/31 11/1-4/30		600 300
Eel	(2)	6	
Grey Sole (Witch)	All Year	14	
Haddock	All Year	19	
Monkfish	All Year	17 11- tails	
Pollock	All Year	19	
Redfish	All Year	9	
River Herring	(2)		
Sailfish	All Year (1,3)	57	1 fish/trip (cannot sell)
Scup	1/1-4/30 5/1-10/31 11/1-12/31	9	10,000 varies by geartype/contact DMF 1,500
Striped Bass	7/3-12/31 (1,4)	34	40 fish/vessel
Summer Flounder	1/1-4/22 Squid Season 6/10-12/31	14	1,000 (100 at 75% quota) varies by geartype/contact DMF 300 (n); 200 (h)
Tautog	4/16-5/15 7/11-10/31	16	40
Weakfish	All Year	16	
White Marlin	(1,3)	62	1 fish/trip
White Perch		8	
Windowpane		12	
Winter Flounder		12	
Yellowtail Flounder		13	

Finfish are measured from the tip of the snout or jaw (mouth closed) to the farthest extremity of the tail. For fish with forked tails, the upper and lower fork may be squeezed together to measure the tail extremity. Exception: black sea bass where the tail filament is not included, and billfish that are measured from the tip of the lower jaw to the tail fork. **Minimum sizes subject to change:** Contact the Division for further information.

Notes:

- May be taken by hook and line only; spearing, netting, snagging are prohibited.
- Subject to regulation by the Division and local community. Consult local regulations.
- No commercial fishing except for swordfish.
- Mutilation, except evisceration, of striped bass is prohibited. Discarding of dead, legal size striped bass is prohibited. High-grading striped bass is prohibited.
- Gear codes: p = sea bass pot fishery; w = weir fishery; o = other fishing gear as permitted; l = lobster trap fishery; n = nets; h = hooks.
- Weight of fillets will be multiplied (x) by 3, and the weight of headless whole-gutted cod will be x by 1.25; cheeks and gonads exempt.
- Gonads not to be > 10% weight of cod aboard vessel.

FINFISH DEFINITIONS

Angling: Fishing with handline or rod, with naturally or artificially baited hook.

Closed Season: The time when fish cannot be lawfully taken.

"Coastal Waters" (Waters under the jurisdiction of the Commonwealth of Massachusetts): include all of Mass. Bay, Cape Cod Bay, Nantucket Sound, the waters within the rise and fall of the tide and extends three miles offshore from an established baseline. It does not include the waters within or above any fishladder or dam, nor the waters above any tidal bound legally established by DEP in streams flowing into the sea.

Fish: Any animal life inhabiting the ocean or its connecting waters, including any crustacea or marine fish, whether free swimming or free moving, and any shellfish or seaworms, whether or not embedded in the soil.

Snagging, Snatching or Hooking: The taking of fish not attracted by bait or artificial lure with hooks, gangs, or lures, whether baited or unbaited, in manner so as to pierce and hook a fish in any part of the body other than the mouth.

The verb **To Fish** in all of its moods and tenses is to take or attempt to take fish by any means, whether or not such method or means results in their capture.

Sale of Fish: A permit is required to sell fish.

Portions of Streams flowing into coastal waters may be closed during spawning season for the purpose of protecting smelt and their spawn. Notices of such closings are posted on or near such closed areas giving the bounds thereof.

FINFISH PROHIBITIONS

Trawling, Gillnetting, Seining, Torching and other fishing methods are illegal in certain areas at certain times of the year. Specific laws and regulations are available from the Division’ office in Boston.

Snagging, Snatching or Hooking of anadromous fish: including shad, smelt, white perch, striped bass, trout and salmon, but excluding alewives or river herring is strictly prohibited.

The taking of Sturgeon, Atlantic Salmon, all marine mammals, all sea turtles and the Diamond Black Terrapin is prohibited.

The sale of Billfish (except Swordfish) landed in Massachusetts is prohibited.

A minimum of 6 1/2" mesh is required in the cod-end, 6” throughout remainder, by trawlers capable of catching flounder. There are area and season restrictions on mobile gear, contact the Division for details.

A minimum of 6 1/2" mesh is required for gillnets fished for roundfish in state waters, and 7” for “tie-down”, flatfish gillnets.

No vessel (except purse seiners) over 90’ registered length may fish in MA waters. Maximum vessel size is 72’ length overall for draggers & scallopers.

Vessels using nets may not fish in coastal waters with disks, rollers, or rockhoppers greater than 12" in diameter.

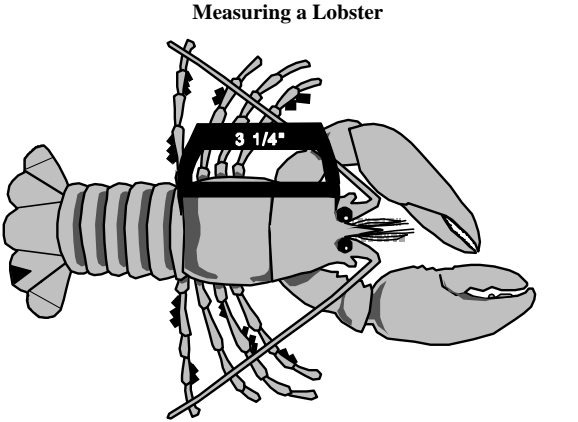
Mobile gear fishing in coastal waters at night is prohibited.

<u>Species</u>	<u>Closed Season</u>	<u>Minimum Size(1,2)</u>
Lobster	----	see matrix below
Blue Crab	Jan.1 - April 30	4¼" (2)
Edible Crabs	Jan.1 - April 30	-----

	<u>Area 1</u>	<u>Area 2</u>	<u>Area 3</u>	<u>Outer Cape Cod</u>
Lobster Minimum Size	3 1/4”	3 3/8”	3 11/32” (3 3/8” on 7/1/04)	3 11/32” (3 3/8” on 7/1/04)

(1) Carapace length measured from rear of eye socket parallel to the center line of the body shell to the rear of the body shell. All lobsters measuring less than the minimum legal carapace length must be immediately returned to the waters from which taken. There is a maximum carapace length of 5” for lobster taken from Area 1. All lobsters must be measured immediately (see below).

(2) Blue Crabs are measured across the shell from tip to tip of the posterior-most, longest spines along the lateral margins of the carapace.



LOBSTERING DEFINITIONS

Closed Season: the time during which fish cannot be lawfully taken.

V-notched female lobster: means any female lobster bearing a v-shaped notch in the right flipper adjacent to the middle flipper or any female lobster which is mutilated in a manner which could hide, obscure, or obliterate such a mark. The right flipper will be examined when the underside of the lobster is down and its tail is toward the person making the determination.

V-shaped notch: means a “V” shaped notch, which has been carved by means of a sharp bladed instrument, at least ¼ inch and not greater than ½ inch in depth and tapering to a sharp point in the flipper next to and to the right of the center flipper as viewed from the rear of the female lobster when the underside of the lobster is down. Area 1 fishermen should contact the Division for separate “zero-tolerance” definition.

LOBSTER/CRAB PERMITS

A lobster/crab permit is required of all persons to fish for lobster and edible crabs in coastal waters. To sell lobster and crabs, a commercial lobster/crab permit is required. Minors under seventeen (17) years of age must have the written consent of a parent or guardian to obtain a lobster permit.

Annual Catch Reports are required of some licenses. These forms are provided by the Division of Marine Fisheries. Renewal licenses will not be issued until a catch report has been filed.

LOBSTER GEAR

Wooden lobster buoys may not be used.

All buoys and traps must be marked with licensee's 4-digit permit #, burned or cut into the surface at least ½" high x 1/8" thick. Buoys must be painted with licensee's approved color scheme. Commercial fishermen must attach an approved official trap tag to be affixed to the central bridge or cross member of each trap.

Before any buoy, pot, trap or lobster car is sold, transferred or given

away, the owner must burn or cut the letter "T" after his old permit #. The new owner shall than burn or cut his permit # on the buoy, trap or lobster car.

All pots or traps used for the taking of lobsters in Area 1 shall contain either a rectangular escape vent 1⁵/₁₆" by at least 5³/₄" or two circular escape vents of not less than 2⁷/₁₆" in the parlor section. All pots or traps used for the taking of lobsters in Area 2, 3 or Outer Cape Cod shall contain either a rectangular escape vent 2” by at least 5³/₄" or two circular escape vents of not less than 2¹/₂” The parlor section is the non-baited section of the pot from which lobsters are normally removed by the fisherman.

The maximum volume of lobster pots is 22,950 cubic inches.

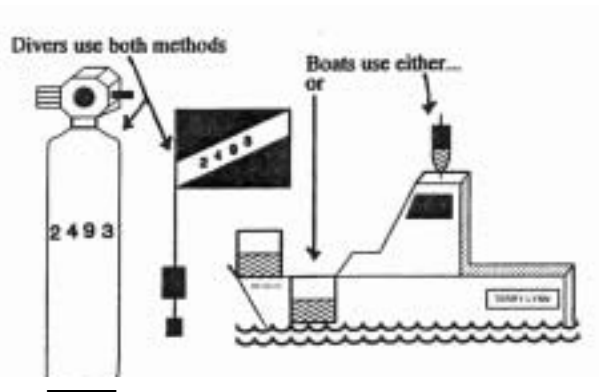
Lobster traps not constructed entirely of wood must contain an escape panel with the following specifications:

- The rectangular opening covered by the panel must be at least 3-3/4" x 3-3/4"
- The panel must be constructed of, or fastened to the trap with one of the following untreated materials: wood lath; cotton, hemp, sisal or jute twine not greater than 3/16" in diameter; or non-stainless, uncoated ferrous metal not greater than 3/32" in diameter.
- The door of the trap may serve as the escape panel if fastened with one of the specified materials.
- The escape panel must be located in the parlor(s) of the trap, but may not be on the bottom.

Boats for lobstering must display the licensee's buoy colors on each side of the hull (or upon panels attached to each side of the hull), or upon a single panel attached to the top of the bow or by mounting a buoy at least 11" long, 4" diameter with licensee's colors, upright, at least 6" above the roof of the boat. Color scheme on hull or panels must be a solid color strip 4" high, 18" wide. The rectangle or square resulting must be bordered on all sides with a black strip at least 1" wide.

Divers must display their assigned number upon their air tank and a floating marker (upright single panel, at least 12" x 12", white background, black numerals at least 3" high, ½" in thickness or width of line on both sides of the marker). A group of divers may use only one floating marker listing the license number of each diver in the group.

GEAR MARKING



LOBSTER PROHIBITIONS

It is illegal for anyone, except the owner, to handle, destroy or molest any lobster or crab pot or other fishing gear, including any gear swept upon the shore, beaches or flats whether public or private, or to take fish therefrom.

Taking of lobsters and crabs from one-half hour after sunset to one-half hour before sunrise is strictly prohibited.

Spearing, dipping or dragging for lobsters is prohibited.

Removal of eggs from lobsters is prohibited. Egg-bearing lobsters or lobsters from which eggs have been removed must be immediately returned alive to the waters from which taken.

Mutilation of any lobster which affects its measurement or the possession of lobster parts shall be prima facie evidence that the lobster was less than the legal minimum size.

Taking v-notched female lobsters is strictly prohibited. V-notched female lobster must be immediately returned alive to the waters from which taken.

During January 1 through May 15, inclusive, only “whale-safe” lobster gear is allowed in most of Cape Cod Bay. Contact the Division for details.

SHELLFISH & SEA URCHINS			
Species Size	Closed Season*	Possess. Limit	Min.
Bay Scallops	4/1-10/1	10 Bu/day including shells*	Well-dfnd Annual growth line
Conchs	---	---	2¾" width
Surf Clams	---	400 Bu/48 hr	5"
Oysters	---	---	3"
Soft-shell clams	---	---	2"
Sea Scallops	---	---	3½" height
Quahogs	---	---	1"thickness
Sea Urchins	5/1-8/31 (SCUBA) 5/1-10/30 (Mobile Gear)		2" exclude spines

* Subject to modification by Town Regulations.
Minimum size measured by longest diameter. These sizes are subject to change, contact *MarineFisheries* for further information.

The taking of shellfish, eels and seaworms are subject to the control of the cities and towns. Consult local authorities for regulations and permits. However, the Division of Marine Fisheries has authority to regulate surf clams, ocean quahogs & shellfish taken from certain contaminated areas.

Sale of shellfish: To sell shellfish, an individual must possess a town/city commercial shellfish permit, a state commercial fisherman permit endorsed for shellfish, and a shellfish ID card issued by the Division of Marine Fisheries. Commercial harvest of sea scallops by-hand requires an individual to possess a commercial permit endorsed for sea scallop diving.

MARINE FISHERIES LICENSES		
Commercial Permits:	Resident	Non-Res.
Coastal Lobster	\$260	N/A
Offshore Lobster/99+	\$260	\$520
Boat(60-99 feet)	\$195	\$390
Boat(0-59 feet)	\$130	\$260
Individual	\$65	\$130
Seasonal Lobster	\$65	\$130
Shellfish & Rod & Reel	\$55	\$130
Shellfish only	\$40	\$80
Rod & Reel	\$35	\$100
Coastal Lobster Transfer fee	\$50	
Commercial Endorsements:		
American Eel	\$30	\$60
Black Sea Bass	\$30	\$60
Dogfish	\$30	\$60
Horseshoe Crab	\$30	\$60
Northern Shrimp	\$30	\$60
Scup	\$30	\$60
Sea Herring	\$30	\$60
Sea Urchin	\$30	\$60
Striped Bass	\$30	\$60
Surf Clam (Contaminated)	\$30	\$60
Inshore Net	\$30	\$60
For Hire	\$10	\$20

Dealer Permits:		
Wholesale Dealer	\$130	\$260
Wholesale Broker	\$130	\$260
Wholesale Truck	\$130	\$260
Retail Store	\$65	\$130
Retail Truck	\$65	\$130
Retail Boat	\$65	\$130
Bait Dealer	\$65	\$130
Special Permits:		
Contaminated Shellfish		
Master Digger	\$130	\$260
Subordinate Digger	\$40	\$80
Regulated fishery	\$30	\$60
Other (Scientific, etc.)	\$10	\$20
All Duplicates:	\$5	\$7

FISHERMAN PERMITS
All persons who land and sell finfish, shellfish, lobsters, edible crabs or other living marine resources in Massachusetts must have a commercial fisherman permit from the Division and must sell only to licensed Massachusetts dealers. All commercial permits, except Rod & Reel and Seasonal lobster, may be endorsed for shellfish at no additional cost.
Coastal Lobster Permit allows the taking, landing and sale of lobsters (to a licensed dealer) harvested from within the coastal waters of the Commonwealth. There is a maximum of 800 lobster pots per vessel that may be set in state waters. The permit may be endorsed to take and sell shellfish and finfish at no additional cost. In the case of skin or scuba divers, only the licensee is covered.
Offshore Lobster Permit allows the landing and sale of lobsters (to a licensed dealer) taken outside of the coastal waters of the commonwealth only; pursuant to a federal lobster permit. The permit may be endorsed to take and sell shellfish and finfish at no additional cost.
Seasonal Lobster Permit is issued to full-time students only (verification required), and allows the licensee only to take and sell lobsters (to a licensed dealer) from June 15 - Sept. 15. A maximum of 25 pots may be used. Diving is not permitted, sale of fish and/or shellfish in not permitted.

Boat Permits allows the taking, landing and sale of fish (to a licensed dealer) and may be endorsed for shellfish. The permit covers everyone aboard the vessel. Price varies with vessel size. No lobsters may be taken.

Individual Permit allows the holder only to take, land and sell fish (to a licensed dealer) and may be endorsed for shellfish. No lobster may be taken.

Shellfish Permit allows an individual to take, land and sell (to a licensed dealer) shellfish and seaworms. A shellfish ID card, from the Division, and town permit are also required.

Rod & Reel Permit allows the holder only, to catch and sell finfish (to a licensed dealer) caught by Rod & Reel only. No other gear types may be used.

DEALER PERMITS
All persons engaged in the wholesale or retail trade of raw fish, shellfish, lobsters, or bait, whether frozen or unfrozen must have a Dealer permit from the Massachusetts Division of Marine Fisheries and may be subject to inspection from the Department of Public Health. Shellfish dealers must check Food & Drug regulations for tagging and record keeping.

Contact Marine Fisheries for further information.

SPECIAL PERMITS
Regulated Fishery Permit is required for commercial fishing in certain areas under certain conditions. Regulated permits are required for dragging, gillnetting, netting in inshore net areas, and for setting

fish pots in waters under the jurisdiction of the Commonwealth of Massachusetts. Regulated permits are also required for the commercial harvest of Northern Shrimp, Surf Clams, Ocean Quahogs, Sea Herring Sea Urchins, Fluke, Scup, Striped Bass, Black Sea Bass, American Eels, Dogfish and Horeshoe Crabs. Rules and regulations on these permits are available from the Division of Marine Fisheries Boston office.

Duplicate Permit - all requests for duplicate permits must be received in writing stating the circumstances surrounding the loss of the original permit.

For further information on any license type, please contact the Licensing Office 617-626-1520. Applications are available on-line at www.mass.gov/marinefisheries.

PERMIT PROHIBITIONS
Transferring licenses and permits issued by the Director, unless specifically provided for.

Selling finfish, lobsters or shellfish without a commercial license and to anyone other than a licensed Massachusetts Dealer.

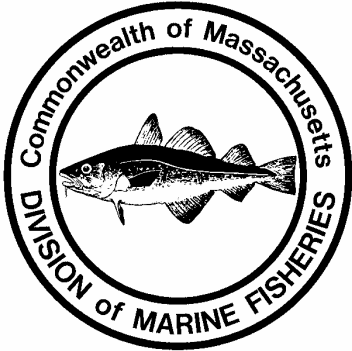
Commonwealth of Massachusetts DIVISION OF MARINE FISHERIES	
Division of Marine Fisheries 251 Causeway Street, Suite 400 Boston, MA 02114 (617) 626-1520	Annisquam River Marine Station 30 Emerson Avenue Gloucester, MA 01930 (978) 282-0308
Pocasset Office 50A Portside Drive Pocasset, MA 02559 (508) 563-1779	Lobster Research Station P.O. Box 9 Vineyard Haven, MA 02568 (508)693-0060
Shellfish Purification Plant Plum Island Newburyport, MA 01950 (978) 465-3553	
LICENSING	
Boston Office 251 Causeway Street, 1 st Floor Boston, MA 02114	(617)626-1520
For further information on regulations, agency programs, fisheries research and licensing (recreational lobster permits may be renewed online), please visit us online at www.mass.gov/marinefisheries	

Commonwealth of Massachusetts DIVISION OF LAW ENFORCEMENT	
Hewitts Cove Radio Room North Coastal Bureau Toll Free number	(617) 727-0882 (617) 727-6398 (978) 283-7764 1-800 632-8075
This pamphlet contains abstracts of some of the laws of interest to commercial fishermen and shellfishermen who utilize Massachusetts coastal waters. For more detailed information see Chapter 130 of the Massachusetts General Laws and Code of Massachusetts Regulations, Title 322.	
The rules and regulations contained in this abstract are subject to change without notice. Contact the Division of Marine Fisheries for current regulations.	

Commonwealth of Massachusetts

ABSTRACTS
of the
Massachusetts
Commercial
Marine Fisheries
Laws

July 2003



Paul J. Diodati,
Director

Department of Fisheries, Wildlife &
Environmental Law Enforcement

Mitt Romney, *Governor*
Ellen Roy Herzfelder, *Secretary*
David M. Peters, *Commissioner*